

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

D'MONTEIRIO GIBSON,

Plaintiff,

V.

FEDERAL EXPRESS CORPORATION,

Defendant.

)
)
)
)
)
)
)
)
)
)

) CIVIL ACTION No. 5:24CV40-DCB-LGI

**DEFENDANT FEDERAL EXPRESS CORPORATION'S
UNOPPOSED MOTION TO STAY RULE 16(a) INITIAL ORDER
DEADLINES**

Pursuant to Federal Rule of Civil Procedure 7(b), Defendant Federal Express Corporation (“FedEx”) moves the Court to grant this Unopposed Motion to Stay Rule 16(a) Initial Order Deadlines (DE 2), pending resolution of FedEx’s Motion for Judgment on the Pleadings (DE 3). Plaintiff D’Monterrio Gibson’s sole claim against FedEx is for intentional infliction of emotional distress (“IIED”), arising from his employment with FedEx. The grounds for the requested stay is that FedEx’s motion is based on a pure question of law that, if granted, will be dispositive of all issues in this case. Consequently, the stay promotes judicial efficiency and economy by allowing the Court to consider and rule on the motion before the Court or the parties expend additional resources on this case, which will be unnecessary if FedEx’s dispositive motion is granted. For these reasons, FedEx respectfully moves the Court to stay all deadlines in the Rule 16(a) Initial Order, pending resolution of FedEx’s motion for judgment on the pleadings.

s/ Michael C. Williams

Michael Williams (MS Bar #104537)

BRADLEY ARANT BOULT CUMMINGS LLP

One Jackson Place

188 East Capitol Street, Suite 1000

Jackson, MS 39201

Tel 601-592-9918

Fax 601-592-1418

mcwilliams@bradley.com

*Attorney for Defendant Federal Express
Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2024, a copy of the foregoing was served on the parties listed below via the Court's ECF System:

Carlos E. Moore

THE COCHRAN FIRM – MS DELTA

306 Branscome Drive

P.O. Box 1487

Grenada, MS 38902-1487

Tel 662-227-9940

Fax 662-227-9941

cmoore@cochranfirm.com

Attorney for Plaintiff

s/ Michael C. Williams